

Chevy Chase Village Board of Managers

September 10, 2012

BOARD OF MANAGERS

Patricia S. Baptiste, Chair	Present
Peter T. Kilborn, Vice Chair	Present
Richard Ruda, Secretary	Present
Thomas H. Jackson, Assistant Secretary	Present
Gary Crockett, Treasurer	Present
Michael L. Denger, Assistant Treasurer	Present
David L. Winstead, Board Member	Present

STAFF

Shana R. Davis-Cook, Village Manager	Present
John Fitzgerald, Police Chief	Present
Demetri Protos, Finance Director	Present
Ellen Sands, Permitting and Code Enforcement Coordinator	Present
Jacqueline A. Parker, Public Safety Coordinator	Present

Ms. Patricia S. Baptiste, Chair of the Chevy Chase Village Board of Managers, called the meeting to order at 7:33 p.m.

Approval of Minutes from the Board's Regular Meeting held on July 9, 2012

Action to approve the minutes of the Board's regular meeting held on Monday, July 9, 2012.

Mr. Ruda requested the following amendment to the draft minutes:

- Page 4, line 17: Delete "resurge" and insert "reinvigorate"

Ms. Baptiste requested the following amendment to the draft minutes:

- Page 8, line 3: Delete "demand" and insert "request"

Mr. Crockett requested the following amendment to the draft minutes:

- Page 10, line 10: Delete "authorized" and insert "moved to authorize"

Mr. Crockett moved to approve the minutes from the Board of Managers' regular monthly meeting held on July 9, 2012, as amended. Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, and Mr. Denger voted in favor of the motion. Mr. Winstead was absent from the Board's July 9 regular meeting and did not vote. The motion passed.

Variance and Special Permit Requests

A-6194 (Retroactive Variance Request): Mr. & Mrs. Thomas E. Giles, 3908 Oliver Street
Maintain a replacement lamp post that encroaches a maximum of seventeen and two-tenths (17.2) feet forward of the twenty-five (25) foot front building restriction line.

Mr. Denger moved to deem the work performed as repair and maintenance, therefore, negating the need for a variance. Mr. Crockett seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of the motion. The motion passed. The variance request was withdrawn.

A-6196 (Variance Request): Mr. & Mrs. Brandon L. Fried, 107 Oxford Street

Complete the replacement lamp post that encroaches a maximum of seventeen (17) feet forward of the twenty-five (25) foot front building restriction line.

Mr. Denger moved to deem the work performed as repair and maintenance, therefore, negating the need for a variance. Mr. Jackson seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of the motion. The motion passed. The variance request was withdrawn.

A-6195 (Retroactive Special Permit Request): Mr. & Mrs. Alla Bakhtina, 204 Primrose Street

Maintain a concrete garage apron that was widened and that measures twenty seven feet, four inches (27'-4") in width in the rear (southwest) yard of the property.

Mr. Denger moved to hold the motion in abeyance to allow Village staff to review the site conditions for water runoff issues. The Board unanimously agreed.

A-6197 (Special Permit Request): Ms. Nancy Orvis & Mr. Michael Fistere, 12 West Irving Street

Replace an existing concrete driveway, the garage apron of which would measure a maximum of twenty-three feet, seven inches (23'-7") feet in width.

The special permit request was postponed because the applicants did not appear.

Treasurer's Report

The Treasurer's Report was distributed to the Board prior to the meeting. No action was taken by the Board.

Police Report

The Police Report was circulated prior to the meeting. The Board directed staff to draft an article in an upcoming issue of the *Crier* informing residents how to report dark streetlights. The Board also asked staff to evaluate the possible relationship between 'dark' areas of the Village and recent petty crime activity.

Committee & Commission Appointments

Personnel Commission

- Board appointment of Mr. Charles Ingersoll (Magnolia Parkway) to fill seat vacated by Michael Byars (term exp. 9/2013)

Mr. Ruda moved to appoint Charles Ingersoll to complete the term of former member Michael Byars on the Personnel Commission (term exp. 9/2013). Mr. Denger seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of the motion. The motion passed.

Chevy Chase Open Space Committee

- Board approval sought on the proposed Concept Plan and discussion of means for funding, Ms. Meredith Wellington, Chair.

Mr. Ruda moved to approve the draft concept plan for the Chevy Chase Open Space. Mr. Denger seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of the motion. The motion passed. The Board will consider providing funding support to move the concept plan along faster.

Traffic Committee

- Discussion of the State Highway Administration's response to the Village's request for a pedestrian crossing on Connecticut Avenue at Lenox Street.

Ms. Baptiste and Ms. Davis-Cook will reach out to members of the Maryland District 18 Delegation for their assistance and support in continuing to pursue a pedestrian signalized crossing.

- Update on the committee's review of the pending permit parking request for the 5500 block of Kirkside Drive located between Western Avenue and Grove Street

The Traffic Committee recommended that the parking restrictions in the 5500 block of Kirkside Drive between Western Avenue and Grove Street should not be amended as requested¹.

Mr. Denger moved to support the Traffic Committee's recommendation to not amend the parking restrictions on the 5500 block of Kirkside Drive as requested by residents in the affected area. Mr. Crockett seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger voted in favor of the motion. Mr. Winstead abstained. The motion passed. The Board asked the Traffic Committee to review Chapter 14 (entitled, "Permit Parking") of the Village Code and to recommend amendments as the committee deems appropriate.

Tree Committee

- Board approval sought for the proposed Fall 2013 Tree Planting List

Mr. Denger moved to accept the Fall 2013 Tree Planting List as presented. Mr. Kilborn seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of the motion. The motion passed. The Board will review the proposed plantings list for the Connecticut Avenue public right-of-way at its meeting on October 8.

Old Business & Status Reports

¹ The residents in this block requested that the daily restrictions be expanded. The current restrictions end at 6:00 p.m.; the petitioners asked for the restrictions to be expanded to 7:00 p.m.

Update on the Chevy Chase Lake Sector Plan

A report from Board Chair Patricia Baptiste was distributed to the Board prior to the meeting.

The Board unanimously supported Ms. Baptiste recommendation that she testify on behalf of the Village at the Planning Board's hearing on the draft sector plan on October 18, 2012. Ms. Baptiste will relay the community's concerns regarding the certain traffic impacts along Connecticut Avenue from the increased development, the potential loss of existing convenient retail services in the area, and the impacts the proposed development is likely to have on the character of the neighborhood and the sense of community along the Connecticut Avenue corridor.

Board Discussion: Proposed Modifications to the Noise Ordinance Regulating Portable and Permanent Electric Generators

Ms. Baptiste reported that Mr. Kilborn will work with staff to prepare guidelines for the installation and operation of generators in the Village.

Board Discussion and Possible Action: Montgomery County's Pending Legislation Regulating Accessory Apartments.

A report from Board Chair Patricia Baptiste was distributed to the Board prior to the meeting.

The Board unanimously supported Ms. Baptiste recommendation to send a letter to County Council Chair Roger Berliner outlining the community's concerns—and areas of agreement—regarding the pending zoning text amendment (12-11) for accessory apartments.

New Business

Contract Authorization Requests:

- Public Works Renovation, Construction Contract Award: Total Contracting, Inc.

Ms. Baptiste thanked Village Manager Shana Davis-Cook, Director of Municipal Operations Michael Younes, Director of Public Works Jerry Lesesne and Public Works Committee Member Bliss Ryan for their work supporting the upcoming renovation of the Public Works Department's facilities.

Mr. Jackson moved to authorize the Village Manager to enter into a contract with Total Contracting, Inc. to obtain construction services and materials for the Public Works Department Renovation in the amount of \$255,735. Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of the motion. The motion passed.

- Replacement of Village Hall Boilers: Thomas E. Clark

Mr. Jackson moved to approve a contract award to Thomas E. Clark, Inc. for the replacement of the Village's two (2) natural gas boilers and related equipment. Mr. Crockett seconded the

motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of the motion. The motion passed.

Purchase Authorization Requests

- Accounting System Software Update: Intellitec Solutions, LLC

Mr. Crockett moved to proceed with the accounting system update and directed the Village Manager to sign the “Statement of Services” to allow Intellitec Solutions, LLC to execute the update process. Mr. Jackson seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of the motion. The motion passed.

Requests from the United States Postal Service

- Proposed Installation of a Flag Pole and Signage in front of the local post office

Mr. Denger moved to approve the proposed lettering above the post office entrance and a twenty foot high flagpole in the northeast portion of the lawn in front of the post office as requested and to authorize the Village Manager to issue a revocable license for the aforementioned flagpole. Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of the motion. The motion passed.

Board Discussion: Use of Village Parks

Mr. Ruda will work with staff to draft a policy of the use of Village Parks.

Manager’s Report

The Manager’s Report was circulated prior to the meeting.

The Board approved dissolution of the Committee on Children, Youth & Families in favor of a new program for offering community events.

Mr. Ruda moved to adjourn the open meeting to convene in closed session pursuant to State Government Article Section 10-508 (a) (8) to discuss a pending legal matter. Mr. Denger seconded the motion. Ms. Baptiste, Mr. Kilborn, Mr. Ruda, Mr. Jackson, Mr. Crockett, Mr. Denger, and Mr. Winstead voted in favor of the motion. The motion passed. The open meeting adjourned at 10:40 p.m.

Secretary, Chevy Chase Village Board of Managers

Final.